



MIAMI BEACH

HUMAN RESOURCES

MEMORANDUM

TO: Management Team

FROM: Ramiro Inguanzo, Human Resources Director

DATE: November 30, 2010

SUBJECT: Random Drug Testing and Last Chance Testing Procedures

Given that the City is changing its medical service provider effective December 1, 2010, this memorandum outlines the City's Random Drug/Alcohol Testing procedures. It is important to the safety and welfare of the entire City and the public that all our employees refrain from illegal drug use and impairment from alcohol and/or drugs. To demonstrate the City's commitment to this notion, employees so designated by union collective bargaining agreements, employees who are Commercial Drivers' License (CDL) holders, and part-time, probationary, provisional, temporary employees (not excluded by union agreements), and employees classified as "Others" will be subject to random drug testing. The following are the procedures for Random Drug/Alcohol Testing:

1. Employees will be chosen randomly through a computer system at the request of the Human Resources Director or designee.
2. Human Resources will contact the appropriate department director or designee regarding the employee(s) that were selected.
3. Department directors or supervisors (excluding the FOP) must immediately direct the employee to report within two hours to the Health Care Center of Miami, located at 400 41 Street in Miami Beach. **The employee must be told he /she has to report within two hours.** The employee must be told to have his/her City picture identification card ("City ID"), or driver's license with him/her, and to know his/her social security number. In the case of presumed CDL holders, directors and/or supervisors must be able to verify if an employee is a CDL holder pursuant to his/her employment with the City.

There is free valet parking for personal vehicles at the Health Care Center of Miami (City vehicles cannot be valet parked). Employees in City vehicles may park in the 42 Street garage, or the nearby municipal lots, or at metered parking on the street if the garage and lots are full or closed. Employees in personal vehicles may park in the 42 Street garage for free with a valid City identification card and proof of attendance at the Health Care Center of Miami.

4. Human Resources is to be notified immediately if a randomly chosen employee is not at work. Employees whose names are chosen but are not at work due to previously excused absences will go back into the pool of employees eligible for random testing. Verification of an absence and the reason thereto may be requested by Human Resources in writing from the department director, who will verify the absence through Eden system, Telestaff, etc.
5. All employees subject to this procedure can be tested an unlimited amount of times per year (given that the selections are made randomly) except for Fire Department employees (Fire Department employees are removed from the pool of eligible employees once tested in a 12 month period from October 1 through September 30 of each year).

6. All employees tested will receive documentation of said testing from the Health Care Center of Miami upon the completion of the testing. The employee should be directed to provide a photocopy of the document to his/her supervisor upon returning to the work place. Carbon copies of test results sent by the Health Care Center of Miami to Human Resources will be filed in the employee personnel file.

7. After notification to a chosen employee, a supervisor shall not grant sick, annual, or any type of leave excusing the chosen employee from the test. Once notified, the failure of an employee to report within two hours for random testing may be grounds for termination.

8. The Health Care Center of Miami is open from 8:30 a.m. to 5:00 p.m. Special arrangements will be made in advance for employees who must report for testing at the Health Care Center of Miami after 5:00 p.m. due to after-hour shifts. For reasonable suspicion and post accident drug and alcohol testing after 5:00 p.m., please contact the City's Employee Relations Manager at 786.251.7024 to make arrangements for employees to be tested at the Health Care Center of Miami after-hours.

9. Human Resources will periodically verify the random computer system to ensure that all required classifications are included.

10. Employees whose classifications require a commercial driver's license (CDL) will be part of the CDL random drug/alcohol testing pool. If an employee in the CDL pool is not required to have a CDL, the employee's name will be removed from the pool and placed in the appropriate bargaining unit pool.

The following are the provisions for Last Chance Alcohol/Drug Testing (does not apply to the Police Department):

1. For Last Chance Agreement random testing of employees who are a party to such an agreement, all of the above notification procedures apply. Employees must refer to his/her specific agreement to determine how many random tests can be conducted within a specified period. The Last Chance random testing is separate and apart from the random testing of eligible employees in a pool.

2. Pursuant to a Last Chance Agreement, an employee will be required to submit a Return to Duty test following the completion of rehabilitation (as determined by his/her substance abuse professional). With the Return to Duty testing, the same notification procedure is applied. The employee is not given advance notice of the testing; the employee will be notified to report to the Health Care Center of Miami within two hours of notification. After notification to the employee, a supervisor shall not grant sick, annual, or any type of leave excusing the employee from the Return to Duty test. Once notified, the failure of an employee to report within two hours for random testing may be grounds for disciplinary action up to and including termination.

The following provisions apply only to the Fire Department:

The procedure for the Fire Department (Last Chance employees only) is the following: The Fire Chief or Assistant Fire Chief will be contacted by the Human Resources Department before 8:00 a.m. with the names of those employees selected. The Fire Department employees chosen will be notified about the random selection at the start of their shift. Once notified, the chosen employee(s) will then immediately report to the Health Care Center of Miami. The employee should have his/her City picture i.d., driver's license, and social security number.

If you have any questions or need any additional information, please feel free to contact Robin Porter, Employee Relations Manager, at extension 6591.